

**U.S. Department of Interior
Bureau of Land Management
Roseburg District, Oregon**

**Elk Creek Stream Crossing Upgrade Project
Decision Record**

An Interdisciplinary (ID) Team of the Swiftwater Field Office, Roseburg District, Bureau of Land Management has analyzed the **Elk Creek Stream Crossing Upgrade Project**. This analysis was documented in Environmental Assessment (EA) No. OR-104-05-05. The EA analyzed the replacement of stream crossing culverts on four sites within the Elk Creek fifth-field watershed. This action will occur in Sections 33 and 34, T.23S, R.4W; and Section 3, T.24S, R.4W; W.M.

This proposal is in conformance with the *Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement* (PRMP/EIS) dated October 1994 and its associated *Roseburg District Record of Decision and Resources Management Plan* (RMP) dated June 2, 1995.

Decision :

It is my decision to authorize the implementation of the Proposed Action as outlined above and described on page 2 of the EA. The EA did not identify any impacts of the Proposed Action that would be beyond those identified in the EIS. These projects will be accomplished through contracts offered for bid and accomplished during the summer construction season of 2005.

This decision is conditional upon a Letter of Concurrence from the US Fish and Wildlife Service (FWS) with BLM's assessment of "not likely to adversely affect" for listed species.

Finding of No Significant Impacts :

Based on the analysis of potential impacts contained in the environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

Rationale for Decision

The Proposed Action Alternative meets the objectives for lands in the Matrix and Riparian Reserve Land Use Allocations and follows the principles set forth in the *"Roseburg District Record of Decision and Resources Management Plan"* (RMP), the *"Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl"* (Feb. 1994) and the Record of Decision (ROD) for that plan dated April 13, 1994.

The EA describes two alternatives: a "No Action" alternative and a "Proposed Action" alternative. The No Action alternative was not selected because the EA did not identify any impacts of the Proposed Action that would be beyond those identified in the EIS. The No Action alternative would not meet the objective of reducing potential sedimentation, improving fish passage and opening additional stream habitat to Pacific salmonids.

National Historic Preservation Act (Section 106) responsibilities under the 1997 National Programmatic Agreement and the 1998 Oregon Protocol have been completed. No consultation was required.

BLM has reinitiated consultation with the FWS. BLM's Biological Assessment determined that these actions would result in a "may effect - not likely to adversely affect" for the spotted owl or their critical habitat and no effect for the bald eagle. This project is outside the known inland range of the murrelet. A Letter of Concurrence (June 24, 2005) concurred with BLM's assessment. Consultation with the National Oceanic and Atmospheric Fisheries is covered under the *Programmatic Biological and Conference Opinion* (Oct. 18, 2002). The Biological Opinion concluded that the project "... is not likely to jeopardize the continued existence of ... OC coho salmon, or OC steelhead".

This decision is based on the fact that both Proposed Action Alternatives implements the Management Actions/Direction as stated in the RMP. The project design features as stated in the EA would protect the existing transportation network by reducing the risk of culvert failure (RMP, pg. 137), reduce barrier to movement and dispersal of anadromous and resident fish (RMP pg. 40), and reduce the risk of sediment input from culvert failure into the stream system (RMP pg. 19). This decision recognizes that impacts will occur to these resources, however, the impacts to resource values would not exceed those identified in the Environmental Impact Statement (PRMP/EIS).

Comments were solicited from affected tribal governments, adjacent landowners and affected State and local government agencies as well as the general public. No comments were received from any of these sources.

Compliance and Monitoring

Compliance with this decision will be ensured by frequent on the ground inspections by the Contracting Officer's Representative.

Monitoring will be conducted as per the guidance given in the ROD and the RMP.

Protest and Appeal Procedures

Protests shall be filed with the authorized officer (Marci L. Todd) and shall contain a written statement of reasons for protesting the decision. Protests received more than 15 days after the publication of the Notice of Decision are not timely filed and shall not be considered. Upon timely filing of a protest, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to her. The authorized officer shall, at the conclusion of her review, serve her decision in writing to the protesting party. Upon denial of a protest the authorized officer may proceed with the implementation of the decision.

For further information, contact Marci L. Todd, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97470 (541 440-4931).

Marci L. Todd, Field Manager
Swiftwater Field Office

Date